

REMARKS/ARGUMENTS

This submission accompanies an RCE and serves as a further response to the Final Office Action of January 13, 2010 and Advisory Action issued April 2, 2010 in connection with the instant application. A Petition for Extension of Time (one month) and the fee therefor are submitted herewith.

Fundamentally, the independent claims, including the prior independent claim 64 and the newly presented independent claim 73, emphasize that a portion of the target data is not downloaded to the user side equipment prior to the reproduction of the advertisement.

In independent claim 64, the precise recitation is that: “a portion of the target data is not downloaded to the user side equipment before the end of reproduction of the advertisement”. In independent claim 73, the recitation is that: “the user side equipment, if target data is downloaded before reproduction of the advertisement finishes, by utilizing a remaining time until reproduction of the advertisement finishes, downloads other target data in accordance with a user’s request”.

Thus, if the downloading operation is completed before the end of the showing of the advertisement, the downloaded data is not in a complete form, and subsequently, “the user cannot execute the target data”. This is described and explained in paragraph [0126] of the published version of the instant specification.

In the cited Gilmore (EP 0875843) reference, it is merely suggested that compression of data is being transmitted. However, Gilmore does not suggest or mention that “a portion of the target data is not downloaded to the user side equipment before end of a reproduction of the advertisement”, as in the applicant’s claims.

The precise language of claim 73 is also supported in the specification, for example, at paragraph [0108] of the published version of the instant application. Furthermore, in the case where downloading of the target data is completed before reproduction of the advertisement file finishes, other data may be downloaded, by utilizing the remaining time until reproduction of the advertisement file finishes.

It is believed, and respectfully submitted that the claims, as amended and/or presented herein, clearly distinguish over the art of record.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims and pass this case to issue.

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Respectfully submitted,



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